

Jennifer Lynch (SBN 240701)  
*jlynch@eff.org*  
Marcia Hoffmann (SBN 250087)  
*marcia@eff.org*  
ELECTRONIC FRONTIER FOUNDATION  
454 Shotwell Street  
San Francisco, CA 94110  
Telephone: (415) 436-9333  
Facsimile: (415) 436-9993

Jason M. Schultz (SBN 212600)  
*jschultz@law.berkeley.edu*  
SAMUELSON LAW, TECHNOLOGY  
& PUBLIC POLICY CLINIC  
UC Berkeley School of Law  
396 Simon Hall  
Berkeley, CA 94720-7200  
Telephone: (510) 642-0499  
Facsimile: (510) 643-4625

Attorneys for Plaintiff  
Electronic Frontier Foundation

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ELECTRONIC FRONTIER FOUNDATION,

Plaintiff,

vs.

DEPARTMENT OF DEFENSE, ET AL.,

Defendants.

Case No. 3:09-CV-05640-SI

**STIPULATION OF DISMISSAL OF  
PARTIES**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff Electronic Frontier Foundation and Defendants Department of Defense, Central Intelligence Agency, Department of Homeland Security, Department of Justice, Department of Treasury and Office of the Director of National Intelligence stipulate that all remaining claims in the above-captioned case are dismissed with prejudice in their entirety only as to Defendants Department of Defense and its components,

Department of Treasury and its component Internal Revenue Service, Office of the Director of National Intelligence and the Central Intelligence Agency.

DATED: January 21, 2011

Respectfully submitted,

/s/ Jennifer Lynch  
ELECTRONIC FRONTIER FOUNDATION  
Jennifer Lynch, Esq.  
Marcia Hoffman, Esq.  
454 Shotwell Street  
San Francisco, CA 94110  
Telephone: (415) 436-9333  
Facsimile: (415) 436-9993  
E-mail: jlynch@eff.org

TONY WEST  
Assistant Attorney General

JOSEPH P. RUSSONIELLO  
United States Attorney

JOHN TYLER  
Assistant Branch Director

Jason M. Schultz  
SAMUELSON LAW, TECHNOLOGY &  
PUBLIC POLICY CLINIC  
UC Berkeley School of Law  
396 Simon Hall  
Berkeley, CA 94720-7200  
Telephone: (510) 642-0499  
Facsimile: (510) 643-4625  
E-mail: jschultz@law.berkeley.edu

/s/ Kimberly Herb  
Kimberly L. Herb  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave. NW  
Washington, DC 20530  
Telephone: (202) 305-8356  
Facsimile: (202) 616-8470  
E-mail: Kimberly.L.Herb@usdoj.gov

*Attorneys for Plaintiff*

*Attorneys for Defendants*

**GENERAL ORDER NO. 45(X) CERTIFICATION**


I attest that I have obtained Kimberly Herb's concurrence in the filing of this document.

/s/Jennifer Lynch  
Jennifer Lynch

\* \* \*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Hon. Susan Ilston  
United States District Judge